

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

VR GLOBAL PARTNERS, L.P. PATON HOLDINGS :
LTD., VR CAPITAL GROUP LTD., AND VR : No. 07 CIV 8686 (GEL)
ARGENTINA RECOVERY FUND, LTD., :
Plaintiffs, : ELECTRONICALLY FILED
: :
- against - :
PHILIP R. BENNETT, ET AL., :
Defendants. :
: :
X
: :
CAPITAL MANAGEMENT SELECT FUND LTD., :
INVESTMENT & DEVELOPMENT FINANCE : No. 07 Civ. 8688 (GEL)
CORPORATION, IDC FINANCIAL S.A., :
Plaintiffs, :
: :
- against - :
PHILIP R. BENNETT, ET AL., :
Defendants. :
: :
X

NOTICE OF MOTION TO DISMISS BY DEFENDANT PHILIP SILVERMAN

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated February 21, 2008, the accompanying Declaration of Richard Cashman, dated February 21, 2008, and Exhibits 1-3 thereto, the Complaints and all of the other documents filed in the above-captioned actions, defendant Philip Silverman, by and through his undersigned counsel, will move this Court, before the Honorable Gerard E. Lynch, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4(b), for an Order dismissing with prejudice all claims asserted against him in the Complaints filed in the above-captioned actions.

PLEASE TAKE FURTHER NOTICE that Mr. Silverman requests oral argument before the Court on his motion to dismiss.

PLEASE TAKE FURTHER NOTICE that, pursuant to the October 30, 2007 order of the Court, all papers in opposition to this motion shall be filed by April 21, 2008.

Dated: New York, New York
February 21, 2008

Respectfully submitted,
HELLER EHRLMAN LLP

By _____ /s/ Richard Cashman
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